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REMARKS

This Amendment and Response to Office Action is made in response to the examiner's office action dated April 2, 2007. A request to extend the time to respond, and the requisite fee, accompany this response.

The examiner's comments have been carefully considered, and are addressed in turn in the following paragraphs. The lettered paragraphs below relate to the similarly lettered paragraphs of the office action.

- A. By the foregoing amendment, applicant has clarified the origin of the claimed plant, as requested by the Examiner.
- B. By the foregoing amendment, applicant has added additional descriptive information regarding the height and spread of the described tree. Although no new information regarding vigor is provided, the Examiner's attention is directed to the description of the branches of the claimed tree, which includes a description of the length of new growth per year.
- C. By the foregoing amendment, applicant has added additional descriptive information regarding the lenticels of the claimed plant, as requested by the Examiner.
- D. By the foregoing amendment, applicant has added additional descriptive information regarding the flowers of the claimed plant, as requested by the Examiner.
- E. By the foregoing amendment, applicant has added additional descriptive information regarding the pollination requirements of the claimed plant, as requested by the Examiner.
- F. The Examiner has requested that the applicant provide additional information regarding the eye of the fruit of the claimed plant. Fruit of the claimed variety

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is harvested in February, and is therefore not available at this time. As this characteristic is not believed to distinguish the variety from other known varieties, applicant respectfully requests that this requirement be waived.

G. The Examiner has requested that the applicant provide additional information regarding the shipping and storage characteristics of the fruit of the claimed plant. As this characteristic is not believed to distinguish the variety from other known varieties, applicant respectfully requests that this requirement be waived.

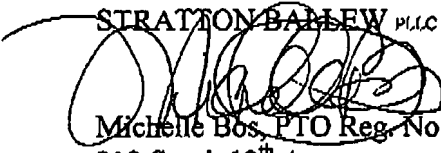
H. By the foregoing amendment, applicant has added additional descriptive information regarding the lenticels of the fruit of the claimed plant, as requested by the Examiner.

CONCLUSION

Any questions or comments relating to these proposed amendments may be directed to applicant's representative who signs below.

Respectfully submitted,

STRATTON BALLEW PLLC


Michelle Bos, PTO Reg. No. 45,499
213 South 12th Avenue
Yakima, WA 98902
Telephone 509-453-1319
Facsimile 509-453-4704

CERTIFICATE OF TRANSMITTAL BY FACSIMILE

I hereby certify that this correspondence and all referenced documents are being transmitted via facsimile to the Commissioner of Patents and Trademarks, Washington D.C. at facsimile number (571) 273-8300 on September 4, 2007.


MICHELLE BOS

Serial No. 10/032,692: